

REMARKS

Claims 1-20 and 22-45 are pending in the present Application. No claims have been canceled, claims 22 and 23 have been amended to depend from claim 1, and no claims have been added, leaving claims 1-20 and 22-45 for consideration upon entry of the present Amendment.

No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Claim Objections

Claims 22 and 23 are objected because they are dependent on a canceled claim. Claims 22 and 23 have been amended to depend from claim 1. Therefore, removal of the objection is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1-20 and 22-45 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over United States Publication No. 2001/0031808 A1 to Adedeji, et al. (Adedeji '808) in view of United States Publication No. 2002/0137840 A1 to Adedeji, et al. (Adedeji '804). Applicants respectfully traverse this rejection.

Common ownership or assignee prior art is excluded under 35 U.S.C. 103(c). Enacted on November 29, 1999, the American Inventors Protection Act (AIPA) added that subject matter which was prior art under former 35 U.S.C. 103 via 35 U.S.C. 102(e) is disqualified prior art against a claimed invention if that subject matter and the claimed invention "were, at the time of the invention was made, owned by the same person or subject to an obligation of assignment to the same person. (MPEP 706.02(l) (1)).

Both of the references, Adedeji '808 and Adedeji '804 qualify as prior art only under subsection 102(e). Moreover, both of the references and the present application were, at the time the invention of the present application was made, owned by General Electric Co. As such, Adedeji '808 and Adedeji '804 are disqualified as prior art against the presently claimed invention.

Enclosed with this response are statements confirming the common ownership of United States Publication No. 2001/0031808 A1 to Adedeji, et al., United States Publication No. 2002/0137840 to Adedeji, et al. and the pending application, Serial No. 10/667,265.

Withdrawal of this rejection are respectfully requested.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 50-1131.

Respectfully submitted,

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